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4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA

6 * * *

7 UNITED STATES OF AMERICA,

Case No. 2:07-CR-14 JCM (RJJ)

8 Plaintiff(s),

ORDER

9 v.

10 RENE OSWALD COBAR,

11 Defendant(s).
12

13 Presently before the court is defendant Rene Oswald Cobar's petition for home detention.
14 (ECF No. 416). The government filed a response (ECF No. 417), and Cobar did not file a reply.

15 Cobar requests the court's permission to finish the final six months of his term of custody
16 in home confinement, in light of the Bureau of Prison's ("BOP") indication that he may be eligible
17 for the same on May 28, 2017. (ECF No. 416).

18 However, the government is correct that 18 U.S.C. §§ 3621(b) and 3624(c) indicate that
19 the BOP, and not this court, wields the authority to determine the location where a prisoner will
20 spend his or her sentence. (ECF No. 417).

21 Title 18 U.S.C. § 3621(b) states, *inter alia*, "[t]he [BOP] shall designate the place of the
22 prisoner's imprisonment." Furthermore, 18 U.S.C. § 3624(c) proclaims that the Director of the
23 BOP may use that statute's grant of authority "to place a prisoner in home confinement for the
24 shorter of 10 percent of the term of imprisonment of that prisoner or 6 months."

25 Therefore, this court is not authorized to provide defendant's requested relief. *See*
26 *Burnham v. Ives*, No. CIV S-08-2522 DAD P, 2010 WL 2612609, at *6-8 (E.D. Cal. June 29,
27 2010).
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Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, and DECREED that defendant’s petition (ECF No. 416) be, and the same hereby is, DENIED.

DATED May 10, 2017.


UNITED STATES DISTRICT JUDGE